

MINUTES OF THE COTTONWOOD HEIGHTS CITY COUNCIL MEETING HELD TUESDAY,
OCTOBER 14, 2014, AT 7:00 P.M. IN THE COTTONWOOD HEIGHTS CITY COUNCIL CHAMBERS

Members Present: Mayor Kelvyn Cullimore, Councilman Mike Shelton, Councilman Tee Tyler,
Councilman Mike Peterson

Excused: Councilman Scott Bracken

Staff Present: City Manager John Park, Deputy City Manager Linda Dunlavy, Public Relations
Specialist Dan Metcalf, Community and Economic Development Director Brian
Berndt, Assistant Fire Chief Mike Watson, Public Works Director Mike Allen,
Police Chief Robby Russo, City Attorney Shane Topham, Police Support
Supervisor Sheila Jennings

Others Present: Sherrie Sorensen, Sheryl McCallister, Scout Troop 1511

1.0 **WELCOME/PLEDGE/ACKNOWLEDGEMENTS**

1.1 Mayor Kelvyn Cullimore called the meeting to order at 7:00 p.m. and welcomed those attending.

1.2 The Pledge of Allegiance was led by Matt Malmberger from Scout Troop 1511.

2.0 **CITIZEN COMMENTS**

2.1 Sheryl McCallister stated that she previously requested to have the University of Utah Fort Union
Boulevard Streetscape, Transit and Redevelopment Study and the BYU Fort Union Corridor Traffic
and Development Study posted on the city website and that they have yet to be posted. She
expressed disappointment and said the citizens have a right to have access to these important studies.

2.2 Mayor Cullimore asked Dan Metcalf, the city PR Specialist, to be sure these studies do get posted.

2.3 Ms. McCallister also expressed concern that minutes of the city council meetings are not being
posted on the city's website as required by city code.

2.4 City Recorder, Kory Solorio, reported that she believed we are in compliance with code, but agreed
to review processes to confirm that fact.

Ms. McCallister also believes minutes should be more substantive.

2.5 Ms. McCallister expressed frustration with Terracare, the City's current Public Works provider,
being on the city council work session agenda rather than on the business meeting agenda. She held
that any discussions regarding Terracare or meetings involving Terracare should be held in public
during the business meeting because of citizen concerns regarding previous snow removal issues.
She believes it would be more appropriate for Terracare to provide their reports in a public meeting
where all citizens can hear the report. She further asserted that damages caused by Terracare last
year were never addressed.

2.6 Mayor Cullimore stated that the City takes the previous snow removal issues with Terracare very
seriously and all damages or claims of which the city or Terracare are aware have been addressed.
Terracare concerns have been addressed in several different city council meetings, where citizens
were welcome to attend. He noted that Twitter updates of meetings are immediately available as are
audio recordings.

- 2.7 Councilman Tyler asked Ms. McCallister if she suffered a financial loss due to last year's storm and Terracare's performance.
- 2.8 Ms. McCallister responded she had not personally been affected but knows people that were. Damages to which she was referring were during periods when the roads were iced over and people suffered damages to their cars due to hazardous conditions.
- 2.9 Councilman Peterson stated that philosophically, the Council concurs with Ms. McCallister and are interested in making information readily available. Options are to be considered.
- 2.10 Mayor Cullimore confirmed that other recommendations by Ms. McCallister, such as broadcasting city council meetings, had been previously considered and rejected as too costly and not a good use of taxpayer dollars. But the council would gladly consider improving transparency and thanked Ms. McCallister for her feedback and suggestions.

3.0 **REPORTS/PROCLAMATIONS/RECOGNITIONS**

Standing Monthly/Quarterly Reports

3.1 **September Police Report**

Police Support Supervisor, Sheila Jennings, presented the Police Report for the month of September. She reported that the recent Safety Fair was a success and there is now a new Neighborhood Watch area as a result. SWAT Team and K-9 demonstrations were also featured at the Safety Fair. In September there were a total of 406 9-1-1 calls, 456 on-view calls, and 870 calls to Dispatch. Priority 1 response times averaged 3:38 minutes, Priority 2 calls averaged 4:17 minutes and Priority 3 averaged 4:52 minutes. Ms. Jennings reported that overall crime is down from last year and informed the Council that all of the vehicles stolen during the month of September were recovered. There were a total of 82 adult arrests and 11 juvenile arrests. There were 273 traffic citations with 13 DUIs and 53 warnings issued. There were 41 crashes with property damage resulting in 12 injuries and 1 fatality. The fatality was not due to an impaired driver. Rather it was a person injured who died several days later in the hospital. It was noted that Safewise identified Cottonwood Heights as one of the top 40 safest cities in Utah.

A complete copy of this report is available on the City's website.

3.2 **Public Works Report**

Public Works Director, Mike Allen, presented the Public Works Report for the month of September. He stated that Terracare has identified manholes that are being raised. Work is continuing to patch and fix potholes. It was reported that the slurry seal treatment along 7200 South is scheduled for the upcoming week. Mr. Allen reported that asphalt maintenance is nearly complete with exception of the work on 7200 South. The 50/50 Sidewalk Project is also near completion. Terracare continues to trim weeds and pick up trash and tree limbs. It was noted that the 3000 East wall is complete. The Fort Union Park and Ride is under construction and the 1700 East Sidewalk Project will be underway as soon as it is approved. Terracare is in the process of preparing for the winter season. Temporary drivers and seasonal employees are currently driving routes and training. Eighteen trucks plus many sub-contractors are ready to be deployed during the first storms. With regard to the Trip Hazard Mitigation Contract, Precision Concrete has completed approximately \$43,000 worth of work. They will continue working on the older sections of the City. The restriping on Honeywood Cove Lane is to be completed in the near future.

A complete copy of this report is available on the City's website.

4.0 ACTION ITEMS

4.1 Consideration of Resolution No. 2014-61 Approving an Interlocal Agreement with Murray City to convey a Surplus Server

4.1.1 Mayor Cullimore reported that the above resolution is for an interlocal agreement with Murray City that will allow them to use a surplus Cottonwood Heights computer server in return for time on their shooting range.

4.1.2 **MOTION:** Councilman Tyler moved to approve Resolution No. 2014-61. The motion was seconded by Councilman Peterson. Vote on motion: Councilman Shelton-Aye, Councilman Peterson-Aye, Councilman Tyler-Aye, Mayor Kelvyn Cullimore-Aye. The motion passed unanimously.

4.2 Consideration of Resolution No. 2014-62 Tentatively Adopting an Amended Budget for the Period of 1 July 2014 Through 30 June 2015; Providing for Public Inspection of Such Budget; Establishing the Time and Place of Public Hearing to Consider Adoption of Such budget; and Providing for Newspaper Publications of Such Public Hearings

4.2.1 Mayor Cullimore explained that the proposed resolution pertains to changes to be made to the formal budget adopted for the current fiscal year. The changes are presented as required by law for public information and comment. The proposed resolution will tentatively adopt the changes and establish a public hearing date to allow for public comment before final adoption of the amended budget. Changes include grants that were received and need to be included in the budget, the sale of motorcycles, Arts Council revenue, and the rebalance of Capital Improvement budget.

4.2.2 **MOTION:** Councilman Peterson moved to approve Resolution No. 2014-62. The motion was seconded by Councilman Shelton. Vote on motion: Councilman Shelton-Aye, Councilman Peterson-Aye, Councilman Tyler-Aye, Mayor Kelvyn Cullimore-Aye. The motion passed unanimously.

4.3 Consideration of Resolution No. 2014-63 Approving an Agreement Providing for Beneficial Cooperative Procurement Endeavors

4.3.1 Mayor Cullimore explained that the proposed resolution includes various governmental agencies that have a cooperative agreement that states that in many instances, procuring various services and material on a co-operative manner is appropriate public policy. This does not obligate Cottonwood Heights to do anything, but opens the door to create savings if there are items that are synergistic.

4.3.2 **MOTION:** Councilman Shelton moved to approve Resolution No. 2014-63. The motion was seconded by Councilman Tyler. Vote on motion: Councilman Shelton-Aye, Councilman Peterson-Aye, Councilman Tyler-Aye, Mayor Kelvyn Cullimore-Aye. The motion passed unanimously.

4.4 Consideration of Resolution No. 2014-64 Approving a Bid and Awarding a Contract to Quicksilver Concrete, Inc. for a Sidewalk Project Along East Side of 1700 East Street, from 7000 South to Chalis Lane (7035 South)

4.4.1 Mayor Cullimore explained that the proposed resolution is for the construction of a sidewalk on the east side of 1700 East between 7000 South and Chalis Lane. The project will improve safety

significantly along the street, particularly for those walking to Ridge Crest. The cost will be approximately \$105,000.

4.4.2 **MOTION:** Councilman Shelton moved to approve Resolution No. 2014-64. The motion was seconded by Councilman Peterson. Vote on motion: Councilman Shelton-Aye, Councilman Peterson-Aye, Councilman Tyler-Aye, Mayor Kelvyn Cullimore-Aye. The motion passed unanimously.

4.5 **Consideration of Resolution No. 2014-65 Approving Agreements to Dedicate Ground for Public Improvements**

4.5.1 Mayor Cullimore explained that the proposed resolution relates to the 1700 East sidewalk project and approves entry into agreements to dedicate ground for public improvements. Two of the existing homes have property that needs to be acquired in order to construct the sidewalk.

4.5.2 **MOTION:** Councilman Tyler moved to approve Resolution No. 2014-65. The motion was seconded by Councilman Shelton. Vote on motion: Councilman Shelton-Aye, Councilman Peterson-Aye, Councilman Tyler-Aye, Mayor Kelvyn Cullimore-Aye. The motion passed unanimously.

4.6 **Consideration of Resolution No. 2014-66 Approving an Agreement with Layton Construction as General Contractor for the New City Hall**

4.6.1 Mayor Cullimore explained that the proposed resolution will approve an agreement with Layton Construction who will serve as the Manager/General Contractor of the New City Hall Building.

4.6.2 Councilman Tyler expressed gratitude to City Manager, John Park, and City Attorney, Shane Topham, for their work in finalizing the contract.

4.6.3 Mr. Park introduced Bryan McBeth from Layton Construction who will serve as the Project Manager.

4.6.4 Mr. McBeth stated that they will ensure that the project is brought in under budget by starting early with the architect and beginning work on cost estimating at the same time they are finishing up design.

4.6.4 **MOTION:** Councilman Tyler moved to approve Resolution No. 2014-66. The motion was seconded by Councilman Peterson. Vote on motion: Councilman Shelton-Aye, Councilman Peterson-Aye, Councilman Tyler-Aye, Mayor Kelvyn Cullimore-Aye. The motion passed unanimously.

4.7 **Consideration of Resolution No. 2014-67 Adopting a Policy and Making Certifications Concerning the Butler Middle School Auditorium**

4.7.1 Mayor Cullimore explained that the proposed resolution is for the adoption of a policy and making certifications concerning the Butler Middle School Auditorium. The City applied for funding from the TRCC Fund to help pay for part of the auditorium expansion so that it can be used as a City venue as well as for the school. A free speech policy had to be established that was consistent with what the school district would allow. Once approved, the City will receive a check for \$315,000.

4.7.2 **MOTION:** Councilman Peterson moved to approve Resolution No. 2014-67. The motion was seconded by Councilman Shelton. Vote on motion: Councilman Shelton-Aye, Councilman Peterson-Aye, Councilman Tyler-Aye, Mayor Kelvyn Cullimore-Aye. The motion passed unanimously.

5.0 **CONSENT CALENDAR**

5.1 **Approval of Minutes for September 23, 2014**

5.2 The minutes stood approved.

6.0 **ADJOURN BUSINESS MEETING AND RECONVENE WORK SESSION IN ROOM 250**

6.1 **MOTION:** Councilman Peterson moved to adjourn and reconvene the work meeting. The motion was seconded by Councilman Tyler and passed unanimously on a voice vote. The business meeting adjourned at 7:55 p.m.

Minutes approved: 10/28/2014